

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Our Docket No.: C514.12-0004 Date: July 14, 2003
 First Named Inventor: Uchenna N. Chukwu
 Title: VEGETABLE PROCESSING
 Express Mail No.: EV302260182US

21908 U.S. PTO
 07/14/03
 10/6/03

APPLICATION ELEMENTS

Commissioner for Patents
ADDRESS TO: P.O. Box 1450
 Alexandria, VA 22313-1450

1. Fee Calculation Sheet
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status
3. Specification Total Pages [41]
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed. Sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. Drawings (35 U.S.C. 113)
5. Oath or Declaration Total Sheets []
 - a. Newly Executed (original or copy)
 - b. Copy from a prior application (37 C.F.R. 1.63(d) - for continuation/divisional with Box 18 completed)

[Mark Box 5 below]

 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b)
6. Application Data Sheet. See 37 CFR 1.76.

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(If applicable, all necessary)
 - a. Computer Readable Copy (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies; or
 - ii. Paper
 - c. Statements verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. 3.73(b) Submission
11. Power of Attorney
12. English Translation Document (*if applicable*)
13. Information Disclosure Statement with copies of Citations as necessary
14. Return Receipt Postcard (*Should be specifically itemized*) Total Pages []
15. Preliminary Amendment
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Application must attach form PTO/SB/35 or its equivalent
17. Other

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Division Continuation-in-part (CIP) of prior Application No. 09/495,960

Prior Application Information: Examiner Keith D. Hendricks Group Art Unit 1761

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | |
|------------------------|---|---|
| ATTY NAME AND REG. NO. | Uchenna N. Chukwu Reg. No. 52,747 | SIGNATURE:  |
| ADDRESS | Kinney & Lange, P.A. THE KINNEY & LANGE BUILDING 312 South Third Street Minneapolis, MN 55415-1002 | |
| TELEPHONE | (612) 339-1863 FAX: (612) 339-6580 | |

791
03/14/03
U.S. PTO

FEE TRANSMITTAL

Complete if Known

| | |
|----------------------|-------------------|
| Application No. | |
| Filing Date | Herewith |
| First Named Inventor | Uchenna N. Chukwu |
| Group Art Unit | |
| Examiner Name | |

Total Amount of Payment \$580.00

Atty. Docket Number C514.12-0004

METHOD OF PAYMENT (Check One)

1. The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No.11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed

2. Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Fee (\$) | Small Entity Fee Code | Fee (\$) | Fee Description |
|-----------------------|----------|-----------------------|----------|------------------------|
| 1001 | 750 | 2001 | .375 | [X] Utility Filing Fee |
| 1006 | 330 | 2006 | 165 | □ Design Filing Fee |
| 1004 | 750 | 2004 | .375 | □ Reissue Filing Fee |
| 1005 | 160 | 2005 | 80 | □ Prov. Filing Fee |
| | | | | Subtotal (1) \$375 |

2. EXTRA CLAIM FEES

| Number Claims | Prior** | Extra | Fee from Below | Fee Paid |
|---------------------------|---------|-------|----------------|----------|
| Total | * | - | * | * |
| Indep. | * | - | * | * |
| Multiple Dependent Claims | | | | * |

**Insert 3 and 20, or number previously paid if greater; Reissue see below

| Large Entity Fee Code | Fee (\$) | Small Entity Fee Code | Fee (\$) | Description |
|-----------------------|----------|-----------------------|----------|---|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple Dependent Claim |
| 1204 | 84 | 2204 | 42 | Reissue Independent Claims Over Original Patent |
| 1205 | 18 | 2205 | 9 | Reissue claims in excess of 20 and over original patent |
| | | | | Subtotal (2) \$0 |

3. ADDITIONAL FEES

| Large Entity Fee Code | Fee (\$) | Small Entity Fee Code | Fee (\$) | Fee Description | Fee paid |
|---------------------------|----------|-----------------------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - Late filing fee or oath | * |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | * |
| 1053 | 130 | 1053 | 130 | Non-English specification | * |
| 1812 | 2,520 | 1812 | 2,520 | For Filing a Request for Reexamination | * |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | * |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | 205 |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | * |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | * |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | * |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | * |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | * |
| 1814 | 110 | 2814 | 55 | Terminal Disclaimer Fee | * |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | * |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | * |
| 1501 | 1,300 | 2501 | 650 | Utility/Reissue issue fee | * |
| 1502 | 470 | 2502 | 235 | Design issue fee | * |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | * |
| 1807 | 50 | 1807 | 50 | Petitions related to provisional applications | * |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Statement | * |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | * |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | * |
| Other fee (specify) _____ | | | | Subtotal (3) \$205 | * |

Signature Uchenna N. Chukwu Reg. No. 52,747
Uchenna N. Chukwu

Date 07/14/2003 Deposit Account No. 11-0982

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|-----------------|
| First Named Inventor : Uchenna N. Chukwu | |
| Appln. No. : | |
| Filed : Herewith | Group Art Unit: |
| Title : VEGETABLE PROCESSING | Examiner: |
| Docket No. : C514.12-0004 | |

EXPRESS MAIL COVER SHEET

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SENT VIA EXPRESS MAIL
Express Mail No.: EV302260182US

Sir:

The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and Trademark Office on the date shown below:

1. Check in the Amount of \$580.00;
2. Utility Patent Application Transmittal;
3. Fee Transmittal;
4. Patent Application;
5. Petition to File Two-Month Extension of Time;
6. Express Abandonment Under 37 CFR 1.138;
7. Executed Declaration;
8. Application Data Sheet;
9. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)(Non-publication Request)

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 07/14/2003

By Uchenna Chukwu
Uchenna N. Chukwu, Reg. No. 52,747
THE KINNEY & LANGE BUILDING
312 South Third Street
Minneapolis, MN 55415-1002
Telephone: (612) 339-1863
Fax: (612) 339-6580

| | | |
|---|------------------------|-------------------------------|
| EXPRESS ABANDONMENT UNDER 37 CFR 1.138 | | Docket Number C514.12-0004 |
| In re Application of: Uchenna N. Chukwu | | |
| Application No. : 09/495,960 | Filed: April 1, 2002 | |
| Title: VEGETABLE PROCESSING | | |
| Group Art Unit: | Examiner: K. Hendricks | |

To:
 Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

I request that the above-identified application be expressly abandoned as of the filing date of this paper unless the box below is checked.

I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed herewith.

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate Office official recognizes the paper, MPEP 711.01.

I am the:

- Applicant.
- Assignee or record of the entire interest.
- Attorney or Agent of record.
- Attorney or agent acting under 37 CFR 1.34(a) (May act only if the box above, stating that the application is expressly abandoned in favor of a continuing application, is checked.) Attorney or agent registration number if acting under 37 CFR 1.34(a): Reg. No.: 52,747

Uchenna N. Chukwu

Date: 07/14/2003

| | | |
|---|----------------------|----------------------|
| REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i) (Nonpublication Request) | First Named Inventor | Uchenna N. Chukwu |
| | Title: | VEGETABLE PROCESSING |
| | Atty Docket Number | C514.12-0004 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

07/14/2003

Date

Uchenna Chukwu

Signature

Uchenna N. Chukwu, Reg. No. 52,747

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**